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Paper No. 21

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**OCT 20 2004**

**OFFICE OF PETITIONS**

In re Application of  
Richard S. Kornbluth .  
Application No. 09/454,223  
Filed: December 9, 1999  
Attorney Docket No. SD9-003-1

ON PETITION

This is a decision on the petition, filed August 16, 2004, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

Extensions of time under 37 CFR 1.136 are available only if asked for prior to or with the response. In no case, however, may an applicant respond later than the maximum time period set by statute. Accordingly, if the question of abandonment arises when the provisions of 37 CFR 1.136 can no longer be used, then the application is abandoned when the unextended time for response has expired. Since, no extension of time fees are due on a petition for revival, the \$210 extension fee submitted is being credited to counsel's deposit account.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

The application file is being forwarded to Technology Center AU 1647 for consideration of the amendment filed August 16, 2004.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy